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Appln. No. 09/490,362
Amendment Response
March 14, 2007

Docket No. 2166CON2C

REMARKS

Claims 61 - 63 are pending in the application. Claims 61-63 were previously rejected by the Examiner in a Final Rejection dated December 31, 2003.

A Notice of Appeal was filed on July 2, 2004.

An Appeal Brief was filed on September 1, 2004.

A Reply Brief and Request for Oral Hearing in response to the Examiners answer were filed on January 28, 2005.

The Board of Appeals Hearing was held on June 6, 2006.

On June 29, 2006 the Board of Appeals issued a decision on appeal from the rejection of Claims 61-63, which were all pending claims. In that decision the rejection of claims 61-63 under 35 U.S.C. §103 over Barnett in view of Bezos was reversed.

To overcome an obviousness-type double patenting rejection over U.S. Patent No. 5,761,648 the Examiner informed applicant that a terminal disclaimer would be necessary. That disclaimer was filed on September 07, 2006.

In a telephone conversation with the examiner, applicant became aware that the application became abandoned for failure to file a proper reply. On September 18, 2006 applicants filed a Petition for Revival under 37 C.F.R. §1.137(b) including a second submission of the terminal disclaimer previously filed. On September 26, 2006 a Notice of Abandonment was issued for failure to timely file the terminal disclaimer.

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March 13 , 2007

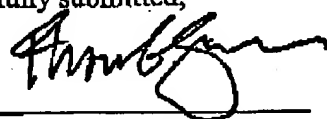
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A decision dated March 2, 2007 denying the Petition suggested that in the event a Renewed Petition were to be filed, Applicants should submit 1) a request for continued examination, and 2) a second terminal disclaimer because the application was filed on or after June 8, 1995, but before May 29, 2000, where the application became abandoned during appeal. Accordingly, those items are enclosed herewith.

In consideration of these submissions, it is respectfully requested that the Commissioner accept the Renewed Petition and continue the examination of this RCE.

Please charge our Deposit Account No. 14-1131 for any fees required in this matter.

Respectfully submitted,



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Date: March 15, 2007